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and

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:)	Case No. BK-S-06-10725 LBR
USA COMMERCIAL MORTGAGE COMPANY,)	Case No. BK-S-06-10726 LBR
	Debtor.)	Case No. BK-S-06-10727 LBR
In re:)	Case No. BK-S-06-10728 LBR
USA CAPITAL REALTY ADVISORS, LLC)	Case No. BK-S-06-10729 LBR
	Debtor.)	
In re:)	Chapter 11
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,)	
	Debtor.)	Jointly Administered Under
In re:)	Case No. BK-S-06-10725 LBR
USA CAPITAL FIRST TRUST DEED FUND, LLC,)	
	Debtor.)	
In re:)	
USA SECURITIES, LLC)	
	Debtor.)	

* Admitted *pro hac vice*.

**EX PARTE MOTION TO CONTINUE THE HEARING ON OBJECTIONS
OF THE USACM LIQUIDATING TRUST TO PBGC'S PROOFS OF CLAIM**

The Pension Benefit Guaranty Corporation ("PBGC") hereby brings an Ex Parte Motion to Continue the Hearing on Objections of the USACM Liquidating Trust to PBGC's Proofs of Claim.

On April 23 and 25, 2007, PBGC filed amended proofs of claim (Claim Nos. 791, 793, 794) against USA Commercial Mortgage Company. On September 11, 2007, the USACM Liquidating Trust (the "Liquidating Trust") filed an objection (the "Objection") to PBGC's amended claims (Docket # 4728).

Pursuant to scheduling orders, PBGC filed a response to the Objection on November 1, 2007, and the Liquidating Trust filed a reply in support of the Objection on November 21, 2007. The parties subsequently filed a stipulation (Docket # 5420) to continue a hearing on the objection from December 14, 2007, to January 24, 2008, to enable them to meet in an effort to reach a consensual resolution of PBGC's amended claims prior to a hearing before the Court. The Court approved the stipulation and continued the hearing to January 24, 2008, at 9:30am (Docket # 5441). PBGC seeks a further brief continuance of the hearing due to changed circumstances and to enable the parties to continue efforts to reach a consensual resolution of PBGC's amended claims prior to a hearing before the Court.

Good cause exists for a brief continuance of the hearing on the objections of the USACM Liquidating Trust ("Liquidating Trust") to PBGC's proofs of claim. PBGC and the Liquidating Trust have engaged in initial settlement discussions. In addition, the Liquidating Trust has informed PBGC that the Liquidating Trust has recently received additional information that may materially impact the calculation of PBGC's claims.

The Liquidating Trust provided PBGC with some of this additional information in the past week. PBGC actuaries are currently in the process of recalculating administrative and priority liabilities on the basis of this new information. The Liquidating Trust has indicated that it will provide PBGC with further information to enable PBGC actuaries to complete their calculations. It is anticipated that these calculations will not be complete at the time of the scheduled hearing.

It is in the interest of judicial economy and preserving the resources of the parties to enable PBGC and the Liquidating Trust to complete their revised calculations and determine whether they will be able to reach a settlement prior to a hearing before the Court. This is particularly true given the extent and complexity of the legal issues that are anticipated to be the subject of the hearing on the Liquidating Trust's objections if the hearing goes forward as currently scheduled.

Although this motion is brought on an *ex parte* basis due to the short time before the scheduled objection hearing, counsel for PBGC has notified counsel for the USACM Liquidating Trust of its intention to bring this motion. Counsel for the Liquidating Trust has informed PBGC that it does not oppose the motion.

Therefore, PBGC respectfully requests that the hearing on the objections of the Liquidating Trust to PBGC's proofs of claim, which is currently scheduled for January 24, 2008 at 9:30am, be continued to February 21, 2008, at 9:30am.

Dated: January 10, 2008

Respectfully Submitted,

**PENSION BENEFIT GUARANTY
CORPORATION**

/s/ Frank A. Anderson

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